



## Land Use & Environment Committee

### Recommendation to Improve Right of Way Acquisition Process for Projects Previously approved by the City Council

**Agenda Date:** 12/10/2015  
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#### **Title**

Recommendation to Improve Right of Way Acquisition Process for Projects Previously approved by the City Council

#### **Recommended Action**

##### **Committee Recommendation:**

N/A

##### **City Manager Recommendation:**

Move to recommend to City Council an amendment to OMC Subsection 3.18.020.B.

#### **Report**

##### **Issue:**

The current right of way acquisition process is redundant and inefficient, causing unnecessary delay.

##### **Staff Contact:**

Fran Eide, P.E., City Engineer, Public Works Engineering, 360.753.8422

##### **Presenter(s):**

Fran Eide, P.E., City Engineer, Public Works Engineering  
Mark Barber, City Attorney, General Government  
Ladd Cluff, PLS, City Surveyor, Public Works Engineering

##### **Background and Analysis:**

The purpose of OMC Chapter 3.16, Contracts, is to establish a uniform practice to approve and execute City of Olympia contracts, ensure Council review of important documents in an efficient manner and establish authority to execute these documents. This Chapter also requires that all documents related to real property be presented to Council before they are executed, with two exceptions in OMC 3.16.020.B:

- (1) Dedication by a private developer to satisfy a permit requirement, and
- (2) Temporary construction licenses.

Staff is recommending a third exception be added to OMC 3.16.020.B to address parcels needed to construct a project that has been previously approved by the City Council through the annual adopted Capital Facilities Plan.

Staff will provide a presentation and lead a discussion regarding the impacts of this recommendation.

**Neighborhood/Community Interests (if known):**

A revised process will allow City staff to complete the acquisition process in a more efficient and timely manner:

- Allowing staff to engage Council early in the process concerning the need for right of way acquisitions, rather than after an offer has been made;
- Allowing staff to compensate the property owner when the agreement is reached;
- Allowing the project to move to construction sooner;
- Avoiding the necessity of bringing every right of way parcel acquisition back to Council for approval - when the Council has previously approved the project - before execution by the City Manager of the purchase agreement

**Options:**

- Do not recommend that the proposed changes to OMC Subsection 3.18.020.B be forwarded to Council for approval. Staff will continue to bring each property acquisition to Council for approval. No efficiency will be realized.
- Recommend that the proposed changes to OMC Subsection 3.18.020.B, as amended by LUEC, be forwarded to Council for approval. Staff will be able to complete property acquisitions in a transparent, efficient manner.
- Recommend that the proposed changes to OMC Subsection 3.18.020.B, as proposed by staff, be forwarded to Council for approval. Staff will be able to complete property acquisitions in a transparent, efficient manner.

**Financial Impact:**

The proposed process will reduce project cost by eliminating the need to draft, review and finalize multiple staff reports. The actual amount varies depending on number of parcels acquired in connection with the Council approved project.

**Attachment(s):**

None